

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

NATIONAL COUNCIL FOR ADOPTION, )  
BUILDING ARIZONA FAMILIES on behalf )  
of itself and its birth-parent clients, birth )  
parents D.V. and N.L., and baby boy T.W. by )  
and through his guardian ad litem PHILIP )  
(JAY) MCCARTHY, JR., )  
Plaintiffs, )  
v. )  
SALLY JEWELL, in her official capacity as )  
Secretary of the United States Department of )  
the Interior, KEVIN WASHBURN, in his )  
official capacity as Assistant Secretary of )  
Indian Affairs, BUREAU OF INDIAN )  
AFFAIRS, and the UNITED STATES )  
DEPARTMENT OF THE INTERIOR, )  
Defendants. )

## [PROPOSED] ORDER

Upon consideration of Plaintiff National Council for Adoption's Motion for Summary Judgment on its APA claim, Defendant's response thereto, and Plaintiff's reply brief, and having conducted a hearing on Plaintiff's Motion for Summary Judgment on its APA claim, for good cause shown, it is hereby **ORDERED THAT:**

1. Plaintiff's Motion for Summary Judgment on its APA claim is **GRANTED** in full and the Guidelines for State Courts and Agencies in Indian Child Proceedings, 80 Fed. Reg. 10,146 (Feb. 25, 2015), are hereby held unlawful and vacated.

Dated:

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Hon. Gerald Bruce Lee  
United States District Court Judge